

REMARKS

In response to the office action mailed April 21, 2006, Applicants have amended the specification and submit the following remarks.

Specification

The Examiner objected to the specification for failing to use consistent terminology with respect to "articulated connection 20" and "hole 20." In response, Applicants have amended the specification to clarify that hole 20 is an example of a structure that can be used to provide an articulated connection. Therefore, Applicants request reconsideration and withdrawal of this objection.

Claims

Claims 1-3 and 6-19 have been provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, and 4-19 of co-pending Application No. 10/351,845. All of the claims of co-pending Application No. 10/351,845 stand rejected as being unpatentable over cited prior art, whereas the claims of the above-referenced application appear to be allowable but for the provisional double patenting rejections. Moreover, the above-referenced application has an earlier effective U.S. filing date than co-pending Application No. 10/351,845. In particular, the above-referenced application has an effective U.S. filing date of August 23, 2002, while co-pending Application No. 10/351,845 has an effective U.S. filing date of January 27, 2003. Therefore, in accordance with MPEP 804, the Examiner should withdraw the double patenting rejection and allow the above-referenced application to issue without a terminal disclaimer, which action is requested.

Claim 20 has been provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 and 18 of co-pending Application No. 10/351,845. However, claim 20 of the above-referenced application differs in scope from claims 1 and 18 of co-pending Application No. 10/351,845. For example, while claim 20 of the above-referenced application requires "a motor arranged within the housing," claims 1 and 18 of co-pending Application No. 10/351,845 requires "a motor which is arranged on the handpiece." Therefore, this double

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patenting rejection is improper and should be withdrawn, which action is requested. Moreover, any obviousness-type double patenting rejection should be addressed in co-pending Application No. 10/351,845, rather than in the above-referenced application, in accordance with the discussion above.

Please apply any charges or credits to deposit account 06-1050, referencing attorney docket number 02894-638001.

Respectfully submitted,

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